

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

ARVEST MORTGAGE COMPANY

PLAINTIFF

vs.

CASE NO. CV 2013-1411-2

**JAMES D. HOWARD;
SPOUSE OF JAMES D. HOWARD, if any;
and TENANTS OF 409 SW D STREET,
BENTONVILLE, AR 72712, if any**

DEFENDANTS

NOTICE OF COMMISSIONER'S SALE

NOTICE IS HEREBY GIVEN, pursuant to the authority contained in the Foreclosure Decree entered by the Benton County Circuit Court in Case No. CV 2013-1411-2, styled as set forth above, the undersigned, as Commissioner of the Court, will offer for sale, at public venue to the highest bidder, at the West entrance of the Benton County Courthouse located at 102 Northeast "A" Street, Bentonville, Arkansas, 72712, on February 10, 2014, at 9:45 a.m., the following described real property, situated in Benton County, Arkansas, to-wit:

**LOT 9, BLOCK 1, GILMORE ADDITION, BENTONVILLE,
BENTON COUNTY, ARKANSAS.**

TERMS OF SALE: On a credit of three (3) months, the purchaser being required to execute a bond as required by law and the decree of the Court, with approved security, bearing interest at the ten percent per annum from date of sale until paid, and a lien being retained on the premises so to secure the payment of the purchase money; provided, however, that if the Plaintiff, its successors or assigns, becomes the purchaser at such sale for an amount not in excess of its judgment, interest and costs herein, in

lieu of giving bond, it may credit the amount of its bid, less the cost of these proceedings, including the Commissioner's fee on the judgment herein rendered at the time of confirmation of such sale, which credit shall be an extinguishment of its judgment to the extent of such credit, and Plaintiff, its successors or assigns, shall be entitled to a deficiency judgment for any amounts remaining; and provided further that if the amount bid by Plaintiff, its successors or assigns, shall exceed the amount of the judgment and costs, bond shall be required only for the excess. Any surplus proceeds realized from such sale shall be paid into the Registry of the Court to be paid to the Defendants as their priorities and interests may be determined by the Court. The property will be sold subject to all property taxes due and payable.

Any announcements made by the Commissioner at the time of sale will take precedence over this notice.

Given under my hand this 27 day of January, 2014.


Brenda DeShields, Commissioner



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